

BARRY J. PORTMAN  
Federal Public Defender  
LARA S. VINNARD  
Assistant Federal Public Defender  
160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
Telephone: (408) 291-7753

Counsel for Defendant LUIS GUZMAN-HERNANDEZ

**\*E-FILED - 3/6/09\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR-08-00904 & CR-03-20145-RMW
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>HEARING AND EXCLUDE TIME;</b>
v.	)	<b>[] ORDER</b>
	)	
LUIS GUZMAN-HERNANDEZ	)	
	)	
Defendant.	)	
_____	)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, March 9, 2009 at 9:00 a.m., be continued to Monday, March 16, 2009, at 9:00 a.m.

The continuance is requested to allow continued defense investigation and preparation.

The parties further agree that time should be excluded under the Speedy Trial Act because the defense requires time for effective preparation and investigation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

Dated: 3/5/09

\_\_\_\_\_  
/s/  
LARA S. VINNARD  
Assistant Federal Public Defender

Dated: 3/5/09

\_\_\_\_\_  
/s/  
CHAD MANDELL  
Assistant United States Attorney

STIPULATION TO CONTINUE  
HEARING DATE; [] ORDER  
No. CR-08-00904

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION


UNITED STATES OF AMERICA,	)	No. CR-08-00904 & CR-03-20145-RMW
	)	
Plaintiff,	)	<b>[] ORDER CONTINUING</b>
	)	<b>HEARING AND EXCLUDING TIME</b>
v.	)	
	)	
LUIS GUZMAN-HERNANDEZ,	)	
	)	
Defendant.	)	
_____	)	

The parties have jointly requested a continuance of the hearing set for Monday, March 9, 2009, to allow time for the defense to complete investigation.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for Monday, March 9, 2009, be continued to Monday, March 16, 2009, at 9:00 a.m.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from March 9, 2009 to March 16, 2009, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

Dated: 3/6/09

  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge